



# OSWER Innovations Pilot

## *Rail-Trail Conversion Resource Guide*

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*The Office of Solid Waste and Emergency Response (OSWER) initiated a series of innovative pilots to test new ideas and strategies for environmental and public health protection to make OSWER programs more efficient, effective, and user-friendly. A small amount of money is set aside to fund creative proposals. The creative projects test approaches to waste minimization, energy recovery, recycling, land revitalization, and homeland security that may be replicated across various sectors, industries, communities, and regions. We hope these pilots will pave the way for programmatic and policy recommendations by demonstrating the environmental and economic benefits of creative, innovative approaches to the difficult environmental challenges we face today.*

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### BACKGROUND

Boston area residents flock to the Charles River Trail and the Minuteman Trail that are located on an abandoned railroad right-of-way owned by the regional transit authority, Massachusetts Bay Transportation Authority (MBTA). As many as 10,000 people use the Minuteman Trail on summer weekends. Bike commuters also use the trail to commute to work and reach transit stations. The success of these trails has spurred efforts to create a more extensive trail network. The southern New England area has the densest level of potential rail-trails in the country as well as dense residential areas along railroad right-of-way corridors.

However, potential liability for environmental contamination has impeded trail development in Massachusetts. The MBTA has offered 30 communities the opportunity to develop rail trails but most have refused to sign lease agreements that require them to take on unknown environmental liabilities. Past industrial uses along rail lines, spills during loading and unloading cargo, illegal dumping, use of arsenic-based herbicides, and creosote soaked rail tiles are all potential sources of contamination.

### PILOT APPROACH

U.S. EPA Region 1, in partnership with the Massachusetts Bicycle Coalition, Rails-to-Trails Conservancy, Massachusetts Department of

Environmental Protection, Massachusetts Bay Transportation Authority, and the cities of Malden, Everett, Woburn, and Waltham, will craft solutions to addressing potential contamination prior to trail construction. The first task will be to research the legal, funding, and construction issues related to potential contamination which currently make rail-to-trail conversion undesirable to local communities. A review of case studies on how other communities have addressed similar issues will also be conducted. The next task will be to convene facilitated discussions by a work group of local, state, and federal environmental agencies to investigate various options for resolving these problems. The workgroup will be facilitated by an interdisciplinary team with facilitation, environmental, and planning skills. A national resource guide will be developed that will describe relevant case studies and outline potential solutions that can be used by other communities to address environmental issues associated with rail conversion problems at contaminated sites.

### INNOVATION

Trail development has been stymied because both state and local officials fear that funds to clean up contamination will not be available during conversion of railroad rights of way to trails. This pilot will focus on leveraging federal, state and local programs and resources to remove legal barriers and provide effective strategies that can be employed by state and local officials to address contamination and allow trail development to proceed in the face of uncertainty about

contamination. This pilot will show how communities can come together to negotiate a standard agreement with railroad right-of-way owners.

## **BENEFITS**

The successful conclusion of this pilot will result in the creation of new multi-use trails in 30 communities in eastern Massachusetts. Construction of new trails would result in cleaning up contamination along unused rail corridors and the revitalization of communities near the trails. As vacant open areas, rail corridors often serve as dumping grounds and short-cuts for children. Reuse will allow the local community to take on policing and maintenance responsibilities, thereby vastly increasing attractiveness and safety. Unused rail lines generally connect to commuter and mass transit routes and are therefore a natural location for bike and walking trails. Trails are known to significantly increase the willingness of people to bike or walk rather than drive their car, resulting in less congestion, reduced energy use and air pollution, and increased quality of life for neighborhoods.

## **CONTACTS**

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For additional information, visit the EPA OSWER Innovations web site at: [www.epa.gov/oswer/IWG.htm](http://www.epa.gov/oswer/IWG.htm).